

REMARKS

Claims 1-19 are pending in this application. Claims 1-19 stand rejected. By this Amendment, claim 8 has been amended. The amendment made does not alter the scope of the claim, nor have these amendments been made to define over the prior art. Rather, the amendments to the claims have been made to improve the form thereof. In light of the amendments and remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

Paragraph 2 of the Office Action states that the information disclosure statement submitted by the Applicant was not considered. Applicant respectfully requests that the Examiner consider the information disclosure statement as the references cited are discussed on page 2 of the present application.

Claim 8 is objected to due to informalities. Applicant has amended claim 8. As such, Applicant respectfully requests that the Examiner withdraw the objection.

Claims 1-19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Publication No. 2003/0138144 (“Lynggaard”). Applicant respectfully requests reconsideration and withdrawal of this rejection.

Among the limitations of each of Applicant’s independent apparatus claims is an image capturing means for capturing a character string. Likewise, each of Applicant’s method claims recites an image capturing step of capturing a character

string from an image capturing means. Lynggaard fails to disclose this explicitly recited limitation.

To anticipate a claim under 35 U.S.C. § 102, the cited reference must disclose every element of the claim, as arranged in the claim, and in sufficient detail to enable one skilled in the art to make and use the anticipated subject matter. See, PPG Industries, Inc. v. Guardian Industries Corp., 75 F.3d 1558, 1566 (Fed. Cir. 1996); C.R. Bard, Inc. v. M3 Sys., Inc., 157 F.3d 1340, 1349 (Fed. Cir. 1998). A reference that does not expressly disclose all of the elements of a claimed invention cannot anticipate unless all of the undisclosed elements are inherently present in the reference. See, Continental Can Co. USA v. Monsanto Co., 942 F.2d 1264, 1268 (Fed. Cir. 1991).

In Lynggaard, there is no image capturing means as recited in Applicant's claims. The present application is directed to a portable cellular phone having a character recognition function. The phone includes image capturing means for example, a camera section. The image captured by the camera section is used for character string recognition. Character recognizing means are used to recognize the characters captured by the camera. This is not disclosed anywhere in Lynggaard.

In Lynggaard, a touch pad is used to enter character data. The character data is then compared to using a character recognition process for a best match of the hand-written text. However, nowhere does Lynggaard disclose image capturing means for capturing a character string. As such, the claims are allowable over the cited reference.

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Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

Dated: January 6, 2005

Respectfully submitted,

By

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